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OFFICE OF THE CITY CLERK
OAKLAND

2009 OCT 29 PM 3:43

**REDEVELOPMENT AGENCY
AND THE CITY OF OAKLAND
AGENDA REPORT**

TO: Office of the City/Agency Administrator
ATTN: Dan Lindheim
FROM: Community and Economic Development Agency
DATE: November 10, 2009

- RE:
- 1. A City Resolution Awarding A Construction Contract To Bay Cities Paving and Grading, Inc. For Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard (Project No. P318410) In Accord With The Project Plans And Specifications And Contractor's Bid In The Amount Not-To-Exceed One Million Six Hundred One Thousand Twenty-Three Dollars and Fifty-Five Cents (\$1,601,023.55)**
 - 2. An Agency Resolution Amending Resolution 2004-03 C.M.S. To Decrease The Amount Of The \$4 Million Grant To The Oakland Housing Authority for Infrastructure Improvements Related to the Coliseum Gardens Hope VI Housing Project by \$100,000.00, And Reallocating Such Funds As A Contribution To The City Of Oakland Under The Cooperation Agreement For Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard**
 - 3. A City Resolution Accepting And Appropriating A Contribution Of Redevelopment Agency Funds Under The Cooperation Agreement In An Amount Not To Exceed \$100,000.00 For The Construction Of 66th Avenue Street Improvement Project From San Leandro Street To International Boulevard**

SUMMARY

Three resolutions have been prepared to award a construction contract for the 66th Avenue Street Improvement Project (P318410) and to reallocate and appropriate \$100,000.00 of Redevelopment Agency funds to the project from the Coliseum Gardens Hope VI Infrastructure Project (T248710). The intent of the 66th Avenue Street Improvement Project is to increase public safety and improve the street for pedestrian use by providing new crosswalks, bulb-outs, landscaping and additional lighting. This project is located within Council District 6 as shown in *Attachment A*.

Item: _____
Public Works Committee
November 10, 2009

The first resolution authorizes the City Administrator to award a construction contract in the amount of \$1,601,023.55 to Bay Cities Paving and Grading, Inc. for the construction of the 66th Avenue Street Improvement Project from San Leandro Street to International Boulevard, and the installation of a bicycle shared lane arrow on 69th Avenue. The work to be completed under this project is funded by a combination of the City's Oakland Redevelopment Agency Funds, Transportation Fund for Clean Air Grant Fund and the Metropolitan Transportation Commission Grant Fund program.

The second resolution reallocates \$100,000.00 in Redevelopment Agency funds to the 66th Avenue Street Improvement Project from the Coliseum Gardens Hope VI Infrastructure Project (T248710), and the third resolution accepts and appropriates this contribution of Agency funds.

FISCAL IMPACT

The construction contract will be in the amount of \$1,601,023.55. Sufficient funds for the contract work are available from the following sources:

- \$272,000.00: Oakland Redevelopment Agency Projects Fund (7780); Capital Improvement Projects Coliseum Organization (94859); 66th Avenue Street Improvement Project (P318410).
- \$1,230,000.00: Metropolitan Transportation Commission: Program Grant Fund (2163); Capital Improvement Project Coliseum Organization (94859); 66th Avenue Street Improvement Metropolitan Transportation Commission (MTC) Grant project (P318430).
- \$100,000.00: Coliseum Tax Allocation Bond Series 2003 Fund (9453); Capital Improvement Projects Coliseum Organization (94859); Coliseum Gardens Hope VI Infrastructure Project (T248710). This \$100,000 will be contributed by the Redevelopment Agency to the City under the Cooperation Agreement and will be available in Oakland Redevelopment Agency Projects Fund (7780), Project to be determined.

Included above is \$100,000.00 from the Agency's Coliseum Gardens Hope VI Infrastructure Project (T248710), to be used for the 66th Avenue Project in lieu of paving improvements to 66th Avenue required for the Lion Creek Crossings development. These funds are to be transferred to the City for the construction and administration of the street improvement in the Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects Coliseum Organization (94859), in a City Project to be established for the 66th Avenue Street Improvement Project.

The engineer's estimate for the construction work is \$2,481,209.00, therefore funding in addition to the above was made available for the project before bidding. These funds remain for project contingencies and project administration as needed. The City Council has previously accepted and appropriated the following funds for the 66th Avenue Street Improvement project:

- \$1,188,000.00 of Agency funding was authorized and appropriated by the City Council for the 66th Avenue Street Improvement Project as part of the fiscal year 2007-2009 Redevelopment Agency budget.
- \$387,115.00 of Transportation Fund for Clean Air funds were accepted and appropriated by the Council in Resolution No. 81095 C.M.S., on March 4, 2008.
- \$530,300.00 of Federal Surface Transportation funds through the Metropolitan Transportation Commission were accepted and appropriated by the Council in Resolution No. 80017 C.M.S., on July 18, 2006.
- \$700,000.00 of Federal Surface Transportation funds through the Metropolitan Transportation Commission were accepted and appropriated by the Council in Resolution No. 81676 C.M.S., on November 18, 2008.

Installation of new sidewalk, curb and gutter, street resurfacing, and drainage improvements will reduce winter storm maintenance problems and associated blight. In addition, installation of Silva cells (modular underground bioretention system) under each new tree will prevent future tree root damage to sidewalks and will help reduce the cost of sidewalk maintenance. Additional pedestrian lights will increase energy cost slightly, but will provide better lighted and safer pathways to residents.

BACKGROUND

On August 13, 2009, the City Clerk received five bids for this project in the amounts of \$1,601,023.55; \$1,807,487.20; \$1,842,485.00; \$2,057,230.50; and \$2,194,526.00 as shown in *Attachment B*. The lowest bidder, Bay Cities Paving and Grading Inc., is deemed responsive and responsible, and therefore is recommended for the award. The engineer's estimate for the work is \$2,481,209.00.

The difference between the Engineer's Estimate and the bids is a reflection of the continuing positive bidding climate for these types of projects.

66th Avenue is a busy arterial that connects San Leandro Street and International Boulevard. Two travel lanes carry a steady flow of vehicles, which include a large number of trucks headed to and from San Leandro Street, a major trucking route. The constant traffic and lack of pedestrian amenities, particularly crosswalks, discourage pedestrian activity and hamper access to area destinations such as the transit facilities on San Leandro Street. As a result, simply crossing the

Item: _____
Public Works Committee
November 10, 2009

street is a difficult and dangerous task. This project will improve the non-motorized circulation within the project area by providing traffic-calming measures, enhancing the connectivity between activity nodes, and increasing the number of pathways and travel options.

At present, cobra-head lights, approximately 100 feet apart, are the sole source of nighttime lighting. Residents have expressed a concern about safety and would like a better lighted street. The new streetlights will not only aid in illuminating the street, they will also add a sense of scale and rhythm to an otherwise barren streetscape.

The proposed improvements include corner bulb-outs, additional crosswalks, raised crosswalks at two locations, pedestrian-scaled streetlights and trees at the bulb-outs, additional trees where property easements allow, and signage. The project will also include installation of a bicycle shared lane arrow or “sharrow” on 69th Avenue, and other ancillary works as indicated on the plans and specifications.

Department of Transportation program guidelines are used to administer this project. This project has a required Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) goal of 2.95%. Bay Cities Paving and Grading, Inc. has a 20.97% Race Conscious UDBE participation, which exceeds the UDBE goal. The Race Conscious Underutilized Disadvantaged Business Enterprise has been verified by the Contract Compliance Division of the City Administrator’s Office and is shown on *Attachment C*.

KEY ISSUES AND IMPACTS

Construction is scheduled to begin in January 2010 and should be completed by June 2010, weather permitting. The contract specifies \$2,675.00 in liquidated damages per calendar day if the contract is not completed within 120 working days. The project schedule is shown in *Attachment B*.

EVALUATION OF PAST PERFORMANCE

There is no available Contractor Performance Evaluation (Schedule L-2) for Bay Cities Paving and Grading, Inc. from a previously completed project.

SUSTAINABLE OPPORTUNITIES

Economic: The project will provide immediate employment, will support the establishment of businesses along the street and will complement and enhance economic development efforts in the Coliseum BART station area. The contractor exceeds the Race Conscious Underutilized Disadvantaged Business Enterprise (RC UDBE) requirement with 20.97% participation and complies with the Equal Benefits Ordinance (EBO).

Environmental: The proposed project is located in a highly urbanized area with no natural habitats. Most of the project will take place in areas that are paved or have existing sidewalks. Equipment storage and material lay down will take place in an area of concrete or asphalt concrete paved surfaces maintained by the City of Oakland. All existing trees within the project area will remain. There is a concrete-lined open channel running almost parallel to 66th Avenue project site, on which the closest point to the project area is approximately 170 feet and the farthest point is approximately 200 feet, containing a portion of Lion Creek which flows into San Leandro Bay. The concrete-lined open channel portion of the creek begins in southwest of Eastlawn Street, runs parallel to the project site, meanders approximately 45 degrees to the left in Lion Creek Crossing Phase II & III housing developments until it ends and becomes a culvert approaching the Western Pacific Railroad, BART and San Leandro Street.

There is no suitable habitat present on the project site for any special-status plant or animal species. With the possible exception of the central California coastal steelhead trout (*Oncorhynchus mykiss*), no special-status plant or animal species would be expected to occur in the vicinity of the project site. The central California coastal steelhead distinct population segment (DPS) was known historically to breed in streams in the Oakland plain that discharged into the South San Francisco Bay, and the species may have once used portions of Lion Creek for spawning. Because this stream is buried in a culvert for several miles, it no longer provides habitat for this species or a route for steelhead to migrate from the Bay to other streams tributary to Lion Creek. However, because the open portion of the channel on the project site is only about a mile upstream of the mouth of Damon Slough, and there are no insurmountable obstacles between the mouth of Damon Slough and the project site, it is conceivable that some central California coastal steelhead could occasionally move upstream as far as the project site.

The Best Management Practices (BMPs) are specified in the contract documents for this project to ensure protection of Lion Creek at both ends of the project site. The project Contractor will be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) for construction. The SWPPP will address sediment controls and waste management and materials pollution controls.

Social Equity: This project is part of the Oakland Redevelopment Agency's Coliseum Area Capital Infrastructure program. The 66th Avenue Street Improvement Project will enhance the visual amenity of an under improved 66th Avenue. Project implementation strengthens the local economy by increasing the opportunity to use local contractors and provides jobs for Oakland residents. The project also provides an enhancement to the several institutional nodes along 66th Avenue including the Oakland Housing Authority Lockwood Gardens and Lion Creek Crossings residential projects and the Oakland Unified School District Lockwood Elementary School.

DISABILITY AND SENIOR CITIZEN ACCESS

The enhanced street lighting proposed along 66th Avenue will improve visibility and street access for the disabled and for senior citizens. Installing better pedestrian crossings and modifying the curb ramps also benefits seniors and people with disabilities.

Item: _____
Public Works Committee
November 10, 2009

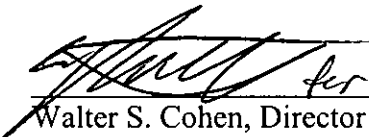
RECOMMENDATION AND RATIONALE

It is recommended that the City Council approve the resolution authorizing the award of a construction contract to Bay Cities Paving & Grading, Inc., the lowest responsive and responsible bidder, in the amount of \$1,601,023.55 for the construction of 66th Avenue Street Improvement Project from San Leandro Street to International Boulevard (Project No. P318410). Staff further recommends that the City Council approve the City and Agency resolutions authorizing the reallocation, acceptance and appropriation of \$100,000.00 to the City of Oakland for construction of this project, from a previous \$4 million grant to the Oakland Housing Authority..

ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolutions.

Respectfully submitted,

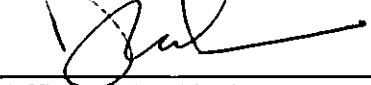


Walter S. Cohen, Director
Community and Economic Development Agency

Reviewed by:
Michael Neary, P.E., Deputy Director,
CEDA, Department of Engineering and Construction

Prepared by:
Jaime Heredia, P.E., Supervising Civil Engineer
Engineering Design & R.O.W. Management Division

APPROVED AND FORWARDED TO
THE PUBLIC WORKS COMMITTEE:



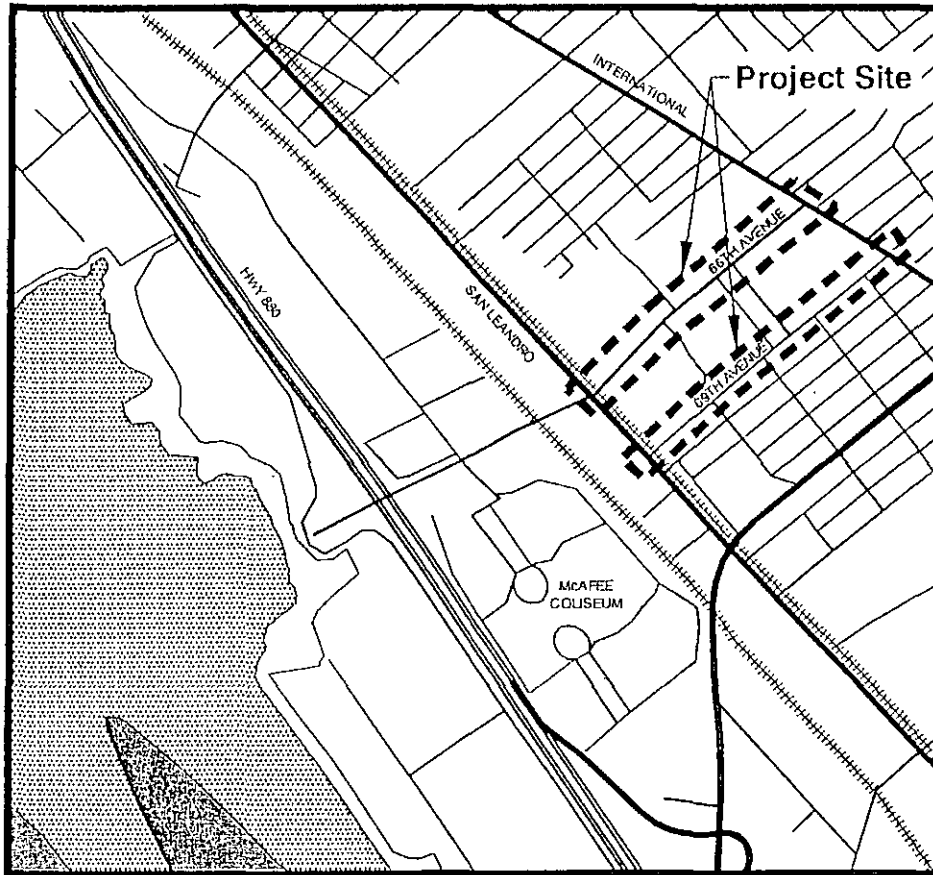
Office of the City/Agency Administrator

Item: _____
Public Works Committee
November 10, 2009

66th AVENUE STREETScape IMPROVEMENTS

FEDERAL PROJECT NO. CML-5012 (087)

CITY PROJECT NO. P318410



LOCATION MAP
NOT TO SCALE

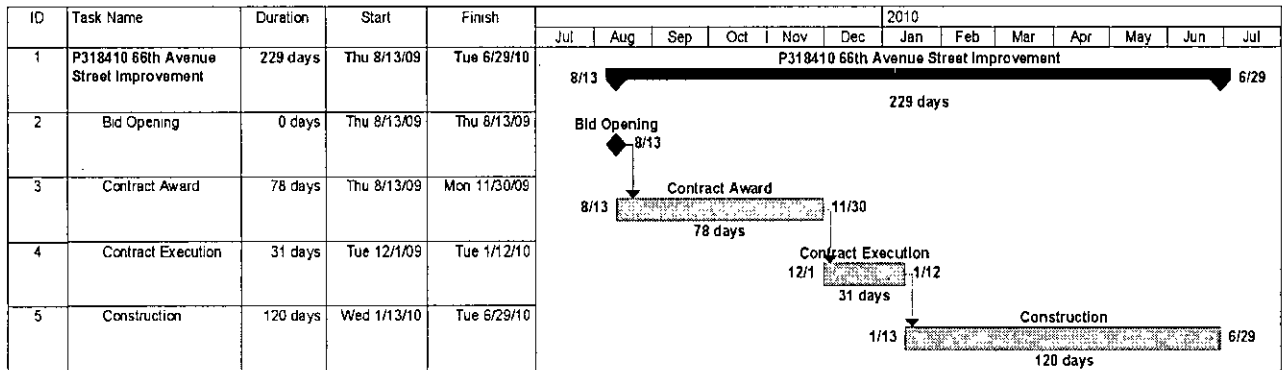
Attachment B

**66th Avenue Street Improvement Project
from San Leandro Street to International Boulevard
(City Project No. P318410)
(Federal Project No. CML-5012(087))**

List of Bidders

| Company | Location | Bid Amount |
|-----------------------------|----------|----------------|
| Bay Cities and Grading, Inc | Oakland | \$1,601,023.55 |
| Redgwick Construction Co. | Newark | \$1,807,487.20 |
| McGuire and Hester | Oakland | \$1,842,485.00 |
| Andes Construction, Inc. | Oakland | \$2,057,230.00 |
| Ray's Electric | Oakland | \$2,194,526.00 |

Project Schedule



Attachment C

**66TH AVENUE STREET IMPROVEMENT
PROJECT NO. P318410
FEDERAL PROJECT NO. CML-5012(087)**

CONTRACT COMPLIANCE

Memo

Department of Contracting and Purchasing

Social Equity Division



To: Ferdinand Ciceron, Civil Engineer
 From: Sophany Hang, Acting Contract Compliance Officer
 Through: Deborah Barnes - DC & P Director
 Shelley Darensburg - Senior Contract Compliance Officer
 CC: Gwen McCormick - Contract Administrator Supervisor
 Date: September 1, 2009
 Re: P318410 – 66th Avenue Streetscape Improvements – DBE Project

The Department of Contracting and Purchasing (DC&P), Division of Social Equity, reviewed five (5) bids in response to the above referenced project. Below is the outcome of the compliance evaluation for the Race Conscious Underutilized Disadvantaged Business Enterprise (UDBE) program and a preliminary review for compliance with the Equal Benefits Ordinance (EBO). There is a race conscious UDBE goal of 2.95% for this project.

| Responsive | | Proposed Participation | | | | Earned Credits and Discounts | | | Banked Credits Eligibility | EBO Compliant? Y/N |
|-----------------------------------|---------------------|------------------------|-----|------|----------|------------------------------|----------------------|---------------------|----------------------------|--------------------|
| Company Name | Original Bid Amount | RC UDBE Total | LBE | SLBE | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | | |
| Bay Cities Paving & Grading, Inc. | \$1601,023.55 | 20.97% | NA | NA | NA | NA | NA | NA | NA | Y |
| Redgwick Construction Co. | \$1,807,487.20 | 21.29% | NA | NA | NA | NA | NA | NA | NA | N |
| McGuire & Hester | \$1,842,485 | 19.97% | NA | NA | NA | NA | NA | NA | NA | Y |
| Andes Construction | \$2,057,230.50 | 17% | NA | NA | NA | NA | NA | NA | NA | Y |

Comments: As noted, all of the above firms met or exceeded the 2.95% RC UDBE goal. All firms are EBO compliant excluding Redgwick Construction, Co. Firms that are not EBO certified will have to come into compliance prior to contract award or execution.

| Non-Responsive | | Proposed Participation | | | | Earned Credits and Discounts | | | Banked Credits Eligibility | EBO Compliant? Y/N |
|----------------|---------------------|------------------------|-----|------|----------|------------------------------|----------------------|---------------------|----------------------------|--------------------|
| Company Name | Original Bid Amount | RC UDBE Total | LBE | SLBE | Trucking | Total Credited participation | Earned Bid Discounts | Adjusted Bid Amount | | |
| Ray's Electric | \$2,194,526 | 1.14% | NA | NA | NA | NA | NA | NA | NA | Y |

Comments: As noted above Ray's Electric failed to meet the 2.95% RC UDBE goal. In addition, the firm failed to list a dollar amount for one of its subcontractors. Therefore, the firm is deemed non-responsive..

For Informational Purposes

Listed below is the lowest responsible bidder's compliance with the 50% Local Employment Program (LEP) and the 15% Oakland Apprenticeship Program for the lowest bidder's most recently completed City of Oakland project.

Contractor Name: NA
 Project Name: NA
 Project No. NA

50% Local Employment Program (LEP)

| | | | |
|--------------------------------|----|-------------------------|-----|
| Was the 50% LEP Goal achieved? | NA | If no, shortfall hours? | N/A |
| Were all shortfalls satisfied? | NA | If no, penalty amount | N/A |

15% Oakland Apprenticeship Program

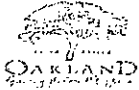
| | | | |
|---|-----|-------------------------|-----|
| Was the 15% Apprenticeship Goal achieved? | NA | If no, shortfall hours? | N/A |
| Were shortfalls satisfied? | N/A | If no, penalty amount | N/A |

The spreadsheet below provides details of the 50% LEP and 15% Apprenticeship Programs. Information provided includes the following data: A) total project hours, B) core workforce hours deducted, C) LEP project employment and work hour goal; D) LEP employment and work hours achieved; E) # resident new hires; F) shortfall hours; G) percent LEP compliance; H) total apprentice hours; I) apprenticeship goal and hours achieved; and J) Apprentice shortfall hours.

| Total Project Hours | 50% Local Employment Program (LEP) | | | | | | | 15% Apprenticeship Program | | | | |
|---------------------|------------------------------------|--|-------|--|-------|----------------------|-----------------|----------------------------|----------------------------|-------------------------------|-------|----------------------------|
| | Core Workforce Hours Deducted | LEP Project Employment and Work Hours Goal | | LEP Employment and Work Hours Achieved | | # Resident New Hires | Shortfall Hours | % LEP Compliance | Total Apprenticeship Hours | Apprenticeship Goal and Hours | | Apprentice Shortfall Hours |
| | | Goal | Hours | Goal | Hours | | | | | Goal | Hours | |
| NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA | NA |

Comments: The Local Employment Program (LEP) and Apprenticeship Programs are not applicable. This is a UDBE project.

Should you have any questions, you may contact Sophany Hang (510) 238-3723..



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: P318410

PROJECT NAME: 66th Avenue Streetscape Improvements

CONTRACTOR: Bay Cities Paving & Grading, Inc.

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| Engineer's Estimate: | Contractors' Bid Amount | Over/Under Engineer's Estimate |
| \$2,481,209.50 | \$1,601,023.55 | \$880,186 |

| | | |
|-------------------------------|-----------------------------|-------------------------|
| Discounted Bid Amount: | Amt. of Bid Discount | Discount Points: |
| N/A | N/A | N/A |

- 1. Did the RC UDBE Program apply? **YES**
 - a) Race Conscious? **YES**
 - b) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 2.95%. **YES**
 - a) % of RC UDBE participation **20.97%**
 - b) % of LBE participation **N/A**
 - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **N/A**
- 4. Did the contractor meet the Trucking requirement? **NA**
 - a) Total trucking participation **3.02%**
- 5. Did the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract **9/1/2009**

Reviewing Officer:

[Signature]

Date: 9/1/2009

Approved By:

[Signature]

Date: 9/1/2009

UDBE Participation Bidder 1

Project Name: 66th Avenue Streetscape Improvements

| Project No.: | | P318410 | | Engineer's Est. | 2,481,209.50 | | Under/Over Engineer's Est. | 880,185.95 | | | |
|------------------------|-----------------------------|---|--------------|-----------------|-----------------|---------------|--|------------|---------|-----------|-------|
| Discipline | Prime & Subs | Location | Cert. Status | DBE Dollars | RC UDBE Dollars | Total Dollars | Certified DBE/WBE | | | | |
| | | | | | | | Ethn. | DBE | RC UDBE | WBE | |
| PRIME | Bay Cities Paving & Grading | Oakland | UB | | | 580,857.55 | | | | | |
| Concrete | MF Maher | Vallejo | UB | | | 290,649.00 | | | | | |
| Trucking | Dillard Trucking | Oakland | UB | | | 48,400.00 | | | | 48,400 | |
| AC Supplier | Hanson Aggre. | Berkeley | UB | | | 86,000.00 | | | | | |
| Landscape & irrigation | 360 Landscape | Rocklin | UB | | | 100,715.00 | | | | | |
| Striping | Chrisp Co. | Fremont | UB | | | 11,383.00 | | | | | |
| Electrical | Phoenix Electrical | San Francisco | CB | | 335,800 | 335,800.00 | A | 335,800 | | | |
| AB Supplier | Aman Envior | Oakland | UB | | | 12,300.00 | C | | | | |
| Pipe Supplier | San Jose Cone Pipe | San Jose | UB | | | 20,589.00 | C | | | | |
| Const. Staking | Const. Survey | Lafayette | UB | | | 23,800.00 | NL | | | | |
| Fencing | Golden Bay Fence | Stockton | UB | | | 55,401.00 | H | | | | |
| SI Wa Cells | Deep Root Partners | San Francisco | UB | | | 35,129.00 | C | | | | |
| Project Totals | | | | | \$0 | \$335,800 | \$1,601,023.55 | | \$3,000 | \$335,800 | \$0 |
| | | | | 0.00% | | 20.97% | 100% | | 0.19% | 20.97% | 0.00% |
| | | | | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | | |
| Legend | | UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise. | | | | | | | | | |



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO: P318410

PROJECT NAME: 66th Avenue Streetscape Improvements

| | | |
|---|--|--|
| CONTRACTOR: Redgwick Construction Co. | | |
| Engineer's Estimate: \$2,481,209.50 | Contractors' Bid Amount \$1,807,487.20 | Over/Under Engineer's Estimate \$673,722 |
| Discounted Bid Amount: N/A | Amt. of Bid Discount N/A | Discount Points: N/A |

- 1. Did the RC UDBE Program apply? YES
 - b) Race Conscious? YES
 - a) Race Neutral? NA
- 2. Did the contractor meet the RC UDBE goal of 2.95%. YES
 - a) % of RC UDBE participation 21.29%
 - b) % of LBE participation N/A
 - c) % of SLBE participation N/A
- 3. Was Good Faith Effort (GFE) Documentation submitted? NO
- 4. Did the contractor meet the Trucking requirement? NA
 - a) Total trucking participation 4.43%
- 5. Did the contractor receive bid discounts? N/A
(If yes, list the percentage received) N/A
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract 9/1/2009

Reviewing Officer: **Date:** 9/1/2009

Approved By: **Date:** 9/1/2009

UDBE Participation Bidder 2

Project Name: 66th Avenue Streetscape Improvements

| Project No.: P318410 | | Engineer's Est. 2,481,209.50 | | Under/Over Engineer's Est. 2,481,209.50 | | | | | | |
|-----------------------|---------------------------|--|--------------|---|-----------------|---------------|---|-----|---------|-----------|
| Discipline | Prime & Subs | Location | Cert. Status | DBE Dollars | RC UDBE Dollars | Total Dollars | Certified DBE/WBE | | | |
| | | | | | | | Ethn. | DBE | RC UDBE | WBE |
| PRIME | Redgwick Construction Co. | | UB | | | 1,382,687.20 | C | | | |
| Material Equipment | All American Rental | Newark | UB | | | 40,000.00 | C | | | |
| Trucking | STI | Newark | CB | | 80,000 | 80,000.00 | C | | | 80,000 |
| Electrical | Cirimele Electrical | Richmond | CB | | 304,800 | 304,800.00 | C | | | 304,800 |
| Project Totals | | | | | | \$384,800 | | | \$0 | \$384,800 |
| | | | | | | 21.29% | | | 0% | 21.29% |
| | | | | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | |
| Legend | | UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise | | | | | | | | |



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: P318410

PROJECT NAME: 66th Avenue Streetscape Improvements



CONTRACTOR: McGuire & Hester

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$2,481,209.50 | \$1,842,485 | \$638,725 |

| | | |
|-------------------------------|-----------------------------|-------------------------|
| <u>Discounted Bid Amount:</u> | <u>Amt. of Bid Discount</u> | <u>Discount Points:</u> |
| N/A | N/A | N/A |



- 1. Did the RC UDBE Program apply? **YES**
 - b) Race Conscious? **YES**
 - a) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 2.95%? **YES**
 - a) % of RC UDBE participation **19.97%**
 - b) % of LBE participation **N/A**
 - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **NO**
- 4. Did the contractor meet the Trucking requirement? **NA**
 - a) Total trucking participation **1.75%**
- 5. Did the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.

7. Date evaluation completed and returned to Contract 9/1/2009

Reviewing Officer:

Stephen J. Heston

Date: 9/1/2009

Approved By:

Walter J. ...

Date: 9/1/2009

UDBE Participation

Bidder 3

Project Name: 66th Avenue Streetscape Improvements

| Project No.: P318410 | | Engineer's Est. 2,481,209.50 | | Under/Over Engineer's Est. 2,481,209.50 | | Certified DBE/WBE | | | | | |
|-----------------------|--------------------------------|--|--------------|---|-----------------|-------------------|--|------------------|---------|-----------|----------|
| Discipline | Prime & Subs | Location | Cert. Status | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethn. | DBE | RC UDBE | WBE | |
| | | | | | | | PRIME | McGuire & Hester | Oakland | UB | |
| Garbage | Forms & Surfaces | Pittsburg, PA | UB | | | 10,801.60 | C | | | | |
| AB/Dumping | Eagle Aggregates | Oakland | UB | | | 12,950.00 | C | | | | |
| Irrigation | John Deere | El Dorado Hills | UB | | | 20,574.00 | C | | | | |
| Silva Cells | Deep Root Partners | San Francisco | UB | | | 35,129.26 | | | | | |
| SD Pipe | Rinkar Materials | Napa | UB | | | 16,562.00 | C | | | | |
| Manholes | US Concrete | Livermore | UB | | | 30,450.00 | C | | | | |
| AC | Gallagher & Burke | Oakland | UB | | | 71,292.00 | C | | | | |
| Wire Rope | West Coast Wire Rope & Rigging | Oakland | UB | | | 11,852.34 | C | | | | |
| Concrete | Cemex | Oakland | UB | | | 38,000.00 | H | | | | |
| Misc Metals | Bay Area Welding | Richmond | UB | | | 17,000.00 | H | | | | |
| Striping | Chrip Company | Fremont | UB | | | 47,082.60 | C | | | | |
| Trucking | Team North Const. | San Carlos | CB | | 21,840 | 21,840.00 | C | | | 21,840 | |
| Trucking | STI Trucking | Newark | CB | | 10,375 | 10,375.00 | H | | | 10,375 | |
| Surveying | Construction Survey | Lafayette | UB | | | 23,800.00 | C | | | | |
| Electrical | Phoenix Electric | San Francisco | CB | | 335,800 | 335,800.00 | AP | | 335,800 | | |
| Project Totals | | | | | \$0 | \$368,015 | 1,842,485.00 | | \$0 | \$335,800 | \$32,215 |
| | | | | | 0% | 19.97% | 100% | | 0% | 18% | 2% |
| | | | | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | | |
| Legend | | UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise | | | | | | | | | |



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: P318410

PROJECT NAME: 66th Avenue Streetscape Improvements

CONTRACTOR: Andes Construction

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| Engineer's Estimate: | Contractors' Bid Amount | Over/Under Engineer's Estimate |
| \$2,481,209.50 | \$2,057,230.50 | \$423,979 |

| | | |
|-------------------------------|-----------------------------|-------------------------|
| Discounted Bid Amount: | Amt. of Bid Discount | Discount Points: |
| N/A | N/A | N/A |

- 1. Did the RC UDBE Program apply? **YES**
 - a) Race Conscious? **YES**
 - b) Race Neutral? **NA**
- 2. Did the contractor meet the RC UDBE goal of 2.95%? **YES**
 - a) % of RC UDBE participation **17%**
 - b) % of LBE participation **N/A**
 - c) % of SLBE participation **N/A**
- 3. Was Good Faith Effort (GFE) Documentation submitted? **YES**
- 4. Did the contractor meet the Trucking requirement? **NA**
 - a) Total trucking participation **2.43%**
- 5. Did the contractor receive bid discounts? **N/A**
(If yes, list the percentage received) **N/A**
- 6. Additional Comments.
- 7. Date evaluation completed and returned to Contract **9/1/2009**

Reviewing Officer:

[Signature]

Date: 9/1/2009

Approved By:

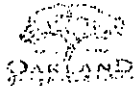
[Signature]

Date: 9/1/2009

UDBE Participation

Bidder 4

| Project Name: 66th Avenue Streetscape Improvements | | | | | | | | | | |
|--|--------------------|--|--------------|-------------|---|----------------|---|---------|-----------|-----|
| Project No.: P318410 | | Engineer's Est. 2,481,209.50 | | | Under/Over Engineer's Est. 2,481,209.50 | | | | | |
| Discipline | Prime & Subs | Location | Cert. Status | DBE Dollars | RC UDBE Dollars | Total Dollars | Certified DBE/WBE | | | |
| | | | | | | | Ethn. | DBE | RC UDBE | WBE |
| PRIME | Andes Construction | Oakland | CB | | | 924,730.50 | H | | | |
| Trucking | Invin Trucking | Oakland | CB | | 30,000 | 30,000 | AA | | 30,000 | |
| Saw Cutting | Bayline | Oakland | CB | 7,500 | | 7,500 | H | 7,500 | | |
| Striping | Striping Graphics | Colati | UB | | | 25,000 | NL | | | |
| Paving | Ghallagher & Burk | Oakland | UB | | | 200,000 | C | | | |
| Trucking | Monroe Trucking | Oakland | CB | | 10,000 | 10,000 | AA | | 10,000 | |
| Electrical | Phoenix Electric | San Francisco | CB | | 300,000 | 300,000 | AP | | 300,000 | |
| Landscaping | Start Construction | San Bruno | UB | | | 200,000 | NL | | | |
| Concrete | MF Maher | Vallejo | UB | | | 300,000 | C | | | |
| Trucking | Monroe Trucking | Oakland | CB | | 10,000 | 10,000 | AA | | 10,000.00 | |
| Rem & Disp. Concrete | W.C. Maloney | Stockton | UB | | | 50,000 | NL | | | |
| Project Totals | | | | \$3,000 | \$350,000 | \$2,057,230.50 | | \$7,500 | \$350,000 | \$0 |
| | | | | 0.15% | 17% | 100% | | 0.36% | 17.01% | 0% |
| | | | | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | |
| Legend | | UB = Uncertified Business CB = Certified Business DBE = Disadvantaged Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprise | | | | | | | | |



DEPARTMENT OF CONTRACTING AND PURCHASING

Social Equity Division

PROJECT COMPLIANCE EVALUATION FOR :

Construction Services Under-Utilized Disadvantaged Business Enterprise (UDBE)

PROJECT NO.: P318410

PROJECT NAME: 66th Avenue Streetscape Improvements



CONTRACTOR: Ray's Electric

| | | |
|-----------------------------|--------------------------------|---------------------------------------|
| <u>Engineer's Estimate:</u> | <u>Contractors' Bid Amount</u> | <u>Over/Under Engineer's Estimate</u> |
| \$2,481,209.50 | \$2,194,526 | \$286,684 |

| | | |
|-------------------------------|-----------------------------|-------------------------|
| <u>Discounted Bid Amount:</u> | <u>Amt. of Bid Discount</u> | <u>Discount Points:</u> |
| N/A | N/A | N/A |



- 1. Did the RC UDBE Program apply? YES
 - a) Race Conscious? YES
 - a) Race Neutral? NA
- 2. Did the contractor meet the RC UDBE goal of 2.95%. YES
 - a) % of RC UDBE participation 1.14%
 - b) % of LBE participation N/A
 - c) % of SLBE participation N/A
- 3. Was Good Faith Effort (GFE) Documentation submitted? YES
- 4. Did the contractor meet the Trucking requirement? NA
 - a) Total trucking participation 1.14%
- 5. Did the contractor receive bid discounts? N/A
 - (If yes, list the percentage received) N/A

6. Additional Comments.

Ray's Electric failed to meet the RC UDBE goal of 2.95%. In addition, the firm failed to list a dollar amount for one of its subcontractors. Therefore, the firm is deemed non-responsive.

7. Date evaluation completed and returned to Contract 9/1/2009

Reviewing Officer:

Date: 9/1/2009

Approved By:

Date: 9/1/2009

UDBE Participation Bidder 5

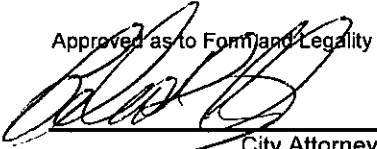
Project Name: 66th Avenue Streetscape Improvements

| Project No.: P318410 | | Engineer's Est. 2,481,209.50 | | Under/Over Engineer's Est. 2,481,209.50 | | | | | | |
|-----------------------|----------------------|------------------------------|--------------|--|--------------------|---------------|---|-------|---------|-----|
| Discipline | Prime & Subs | Location | Cert. Status | DBE Dollars | RC UDBE Dollars | Total Dollars | Certified DBE/WBE | | | |
| | | | | | | | Ethn. | DBE | RC UDBE | WBE |
| PRIME | Ray's Electric | Oakland | UB | | | 1,315,637 | C | | | |
| Striping | Lineation Marking | Oakland | UB | | | 22,000 | C | | | |
| Trucking | Williams Trucking | Oakland | CB | No dollar amount listed | | | AA | | | |
| Sawcutting | Bayline | Oakland | CB | 4,000 | | 4,000 | H | 4,000 | | |
| Concrete | Central Concrete | Oakland | UB | | | 13,000 | O | | | |
| Furniture | Forms & Surface | Pittsburg, PA | UB | | | 11,000 | O | | | |
| Furniture | Palmer Group | San Francisco | UB | | | 1,400 | C | | | |
| Trucking | Monroe Trucking | Oakland | CB | | 25,000 | 25,000 | AA | | | |
| Asphalt Paving | Gallagher & Burk | Oakland | UB | | | 156,000 | C | | | |
| Planting/Irrigation | 360 Landscape, Inc. | Rocklin | UB | | | 101,800 | H | | | |
| Traffic Equipment | All American Rents | San Jose | UB | | | 20,000 | O | | | |
| Lighting | Jam Services | Oakland | UB | | | 134,941 | NL | | | |
| Conc Rehab | AJW Consturction | Oakland | UB | | | 331,847 | H | | | |
| I Beam | Golden Bay Fence | Stockton | UB | | | 55,401 | NL | | | |
| Storm Drain | Global Environmental | Oakland | UB | | | 2,500 | NL | | | |
| Project Totals | | | | \$4,000 | 25,000 | \$2,194,526 | | \$0 | \$0 | \$0 |
| | | | | 0% | 1.14% | 100% | | 0% | 0% | 0% |
| | | | | DBE Dollars | RC UDBE Dollars | Total Dollars | Ethnicity AA = African American AI = Asian Indian AP = Asian Pacific C = Caucasian H = Hispanic NA = Native American O = Other NL = Not Listed | | | |
| Legend | | | | UB = Uncertified Business CB = Certified Business DBE = Disadvantage Business Enterprise WBE = Women Business Enterprise UDBE = Underutilized Disadvantaged Business Enterprises | | | | | | |

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 OCT 29 PM 3:44

Approved as to Form and Legality



City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO BAY CITIES PAVING AND GRADING, INC. FOR CONSTRUCTION OF 66TH AVENUE STREET IMPROVEMENT PROJECT FROM SAN LEANDRO STREET TO INTERNATIONAL BOULEVARD (PROJECT NO. P318410) IN ACCORD WITH THE PROJECT PLANS AND SPECIFICATIONS AND THE CONTRACTOR'S BID IN THE AMOUNT NOT-TO-EXCEED ONE MILLION SIX HUNDRED ONE THOUSAND TWENTY-THREE DOLLARS AND FIFTY-FIVE CENTS (\$1,601,023.55)

WHEREAS, on August 13, 2009, five bids were received by the Office of the City Clerk of the City of Oakland for the Construction of 66th Avenue Street Improvement Project from San Leandro Street to International Boulevard (City Project No. P318410); and

WHEREAS, Bay Cities Paving & Grading, Inc. complies with the Race Conscious Underutilized Disadvantaged Business Enterprise and Equal Benefits Ordinance requirements bidding as a prime, and is the lowest responsive and responsible bidder for the project; and

WHEREAS, there are sufficient funds in the project budget for the work. Funding for the contract work will be available in the following project accounts:

- Oakland Redevelopment Agency Projects Fund (7780); Capital Improvement Project Coliseum Organization (94859); 66th Avenue Street Improvement Project (P318410): \$272,000.00
- Metropolitan Transportation Commission: Program Grant Fund (2163); Coliseum Redevelopment Organization (94859); 66th Avenue Street Improvement MTC Grant Project (P318430): \$1,230,000.00
- Oakland Redevelopment Agency Projects Fund (7780), Project to be determined: \$100,000; and

WHEREAS, the engineer's estimate for the work is \$2,481,209.00; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy or better performance; and

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the contract for the Construction of 66th Avenue Street Improvement Project from San Leandro Street to International Boulevard (Project No. P318410) is hereby awarded to Bay Cities Paving & Grading, Inc. in accordance with the terms of its bid therefore, dated August 13, 2009, in the amount of one million six hundred one thousand twenty-three dollars and fifty-five cents (\$1,601,023.55); and be it

FURTHER RESOLVED: That the plans and specifications prepared by the Deputy Director of the Community and Economic Development Agency for this project are hereby approved; and be it

FURTHER RESOLVED: That the amount of the bond for faithful performance, \$1,601,023.55, and the amount for a bond to guarantee payment of all claims for labor and materials furnished and for the amount due under the Unemployment Insurance Act, \$1,601,023.55, with respect to such work are hereby approved; and be it

FURTHER RESOLVED: That the City Administrator is hereby authorized to enter into a contract with Bay Cities Paving & Grading, Inc. on behalf of the City of Oakland and to execute any amendments or modifications to said agreement within the limitations of the project specifications; and be it

FURTHER RESOLVED: That all other bids are hereby rejected; and be it

FURTHER RESOLVED: That the contract shall be reviewed and approved by the City Attorney and placed on file in the Office of the City Clerk; and be it

FURTHER RESOLVED: That the City Clerk is hereby directed to post conspicuously forthwith notice of the above award on the official bulletin board in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, and PRESIDENT BRUNNER

NOES -

ABSENT -

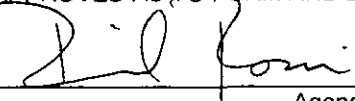
ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 OCT 29 PM 3:44

APPROVED AS TO FORM AND LEGALITY:



Agency Counsel

REDEVELOPMENT AGENCY OF THE CITY OF OAKLAND

RESOLUTION NO. _____ C.M.S.

AN AGENCY RESOLUTION AMENDING RESOLUTION 2004-03 C.M.S. TO DECREASE THE AMOUNT OF THE \$4 MILLION GRANT TO THE OAKLAND HOUSING AUTHORITY FOR INFRASTRUCTURE IMPROVEMENTS RELATED TO THE COLISEUM GARDENS HOPE VI HOUSING PROJECT BY \$100,000.00, AND REALLOCATING SUCH FUNDS AS A CONTRIBUTION TO THE CITY OF OAKLAND UNDER THE COOPERATION AGREEMENT FOR CONSTRUCTION OF 66TH AVENUE STREET IMPROVEMENT PROJECT FROM SAN LEANDRO STREET TO INTERNATIONAL BOULEVARD

WHEREAS, the Redevelopment Agency wishes to fund streetscape improvements to 66th Avenue between San Leandro Street and International Boulevard including new lighting, pedestrian improvements, landscaping and pavement (the "66th Avenue Street Improvement Project") in the Coliseum Redevelopment Project Area; and

WHEREAS, the City and the Agency agree that economic development and redevelopment are goals of the Coliseum Redevelopment Projects and that the 66th Avenue Street Improvement Project will improve public safety with lighting, pedestrian improvements, paving and landscaping to alleviate blight and support the establishment of businesses along the street and will complement and enhance economic development efforts in the Coliseum BART station area; and

WHEREAS, the Redevelopment Agency authorized an allocation of Agency funding in an amount not to exceed \$4,000,000.00 as a grant to the Oakland Housing Authority to support the development of infrastructure improvements related to the Coliseum Gardens Hope VI Housing Project by Oakland Coliseum Housing Partners in Resolution No. 2004-03 C.M.S. adopted on February 3, 2004; and

WHEREAS, the infrastructure improvements for the Coliseum Gardens Hope VI Housing Project have been completed, and the Oakland Housing Authority has agreed that \$100,000.00 of the \$4,000,000.00 grant from the Agency shall be used for the construction and/or administration of the 66th Avenue Street Improvement Project in lieu of street paving work on 66th Avenue required by the City of Oakland as part of the subdivision approval for the project; and

WHEREAS, Agency funds of \$100,000.00 are available for this purpose in the Coliseum Tax Allocation Bond Series 2003 Fund (9453); Capital Improvement Projects Coliseum Organization (94859); Coliseum Gardens Hope VI Infrastructure Project (T248710); and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the installation cost or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the Agency authorized an allocation of Agency funding in an amount not to exceed \$1,188,000.00 to the 66th Avenue Street Improvement Project from the Coliseum Tax Allocation Bond Series 2006B-TE (Tax Exempt) Fund (9455), Capital Improvement Projects Coliseum Organization (94859), 66th Avenue Street Improvement Project (P318410) in the approval of its Fiscal Year 2007-2009 Budget in 2007; and

WHEREAS, the City of Oakland and Redevelopment Agency are implementing the 2007-09 Agency Budget for the Coliseum Redevelopment Projects, including the 66th Avenue Street Improvement Project, to abate physical and economic blight through the redevelopment of vacant and underutilized properties and the replacement of obsolete infrastructure; now, therefore, be it

RESOLVED: That Agency Resolution No. 2004-03 is hereby amended to decrease the amount of the grant to the Oakland Housing Authority for infrastructure improvements related to the Coliseum Gardens Hope VI Housing Project by \$100,000.00; and be it

FURTHER RESOLVED: That the Agency Administrator is authorized to contribute an amount not to exceed \$100,000.00 under the Cooperation Agreement to the City of Oakland for the construction and/or administration of the 66th Avenue Street Improvement Project from the Coliseum Tax Allocation-Bond Series 2003 Fund (9453); Capital Improvement Projects Coliseum Organization (94859); Coliseum Gardens Hope VI Infrastructure Project (T248710); and be it

FURTHER RESOLVED: That the Agency hereby finds and determines as follows:

1. That the funding of the 66th Avenue Street Improvement Project will benefit the Coliseum Project Area by installing lighting, pedestrian and landscaping improvements to alleviate the substandard street conditions which are a blighting influence in the Coliseum Project Area,
2. That due to limited resources and competing projects, the City's Capital Improvement Program ("CIP") has been unable to provide financing for the 66th Avenue Street Improvement Project in the period 2006-2010 and that no other reasonable means of

financing the 66th Avenue Street Improvement Project are available to the City other than Redevelopment Agency funding;

3. That the use of tax increment funds from the Coliseum Project Area for the 66th Avenue Street Improvement Project will assist in the elimination of blight in the Coliseum Project Area by improving the functionality and the aesthetic appeal of the street and replacing deteriorated and obsolete elements of the streetscape; and
4. That the use of tax increment funds from the Coliseum Project Area for the 66th Avenue Street Improvement Project is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it

FURTHER RESOLVED: That the Agency Administrator or his designee is hereby authorized to take whatever action is necessary with respect to the 66th Avenue Street Improvement Project consistent with this Resolution and its basic purpose.

IN AGENCY, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
CHAIRPERSON BRUNNER

NOES-

ABSENT-


ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2009 OCT 29 PM 3:44

Approved as to Form and Legality:


City Attorney

OAKLAND CITY COUNCIL

RESOLUTION No. _____ C.M.S.

Introduced by Councilmember _____

A CITY RESOLUTION ACCEPTING AND APPROPRIATING A CONTRIBUTION OF REDEVELOPMENT AGENCY FUNDS UNDER THE COOPERATION AGREEMENT IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THE CONSTRUCTION OF 66TH AVENUE STREET IMPROVEMENT PROJECT FROM SAN LEANDRO STREET TO INTERNATIONAL BOULEVARD

WHEREAS, the City will be performing work to alleviate blight including new lighting, pedestrian improvements, landscaping and pavement on 66th Avenue between San Leandro Street and International Boulevard (the "66th Avenue Street Improvement Project") in the Coliseum Redevelopment Project Area; and

WHEREAS, the Redevelopment Agency of the City of Oakland has authorized a contribution of \$100,000.00 to the 66th Avenue Street Improvement Project from funds previously allocated to the Coliseum Gardens Hope VI Housing Project; and

WHEREAS, there are sufficient funds in the Coliseum Tax Allocation Bond Series 2003 Fund (9453); Capital Improvement Projects Coliseum Organization (94859); Coliseum Gardens Hope VI Infrastructure Project (T248710); and

WHEREAS, the City and the Redevelopment Agency entered into a Cooperation Agreement on July 1, 2004, which generally governs the provision of assistance and the payment of funds between the two agencies, including Redevelopment Agency financial contributions and other assistance to support City public improvements; and

WHEREAS, Section 33445 of the California Health and Safety Code authorizes a redevelopment agency to pay for the installation cost or construction of publicly-owned facilities, if the legislative body has consented to such funding and has made certain findings; and

WHEREAS, the City has accepted and appropriated \$1,188,000.00 of Redevelopment Agency funds for the 66th Avenue Street Improvement Project as part of the fiscal year 2007-2009 Redevelopment Agency budget; and

WHEREAS, the City has authorized and accepted \$530,300.00 of Federal Surface Transportation funds in Resolution No. 80017 C.M.S. on July 18, 2006, and \$700,000.00 of Federal Surface Transportation funds in Resolution No. 81676 C.M.S. on November 18, 2008, for the 66th Avenue Street Improvement Project; and

WHEREAS, the City has authorized and accepted \$387,115.00 in Transportation Fund for Clean Air funds in Resolution No. 81095 C.M.S. on March 4, 2008, for the 66th Avenue Street Improvement Project; now, therefore, be it

RESOLVED: That the City hereby accepts Agency funds in an amount not to exceed \$100,000.00 under the Cooperation Agreement for the 66th Avenue Street Improvement Project, and appropriates them to Oakland Redevelopment Agency Projects Fund (7780), Capital Improvement Projects Coliseum Organization (94859), in a project to be determined; and be it

FURTHER RESOLVED: That the City Council hereby finds and determines as follows:

1. That the funding of the 66th Avenue Street Improvement Project will benefit the Coliseum Project Area by installing lighting, pedestrian and landscaping improvements to alleviate the substandard street conditions which are a blighting influence in the Coliseum Project Area,
2. That due to limited resources and competing projects, the City's Capital Improvement Program ("CIP") has been unable to provide financing for the 66th Avenue Street Improvement Project in the period 2006-2010 and that no other reasonable means of financing the 66th Avenue Street Improvement Project are available to the City other than Redevelopment Agency funding;
3. That the use of tax increment funds from the Coliseum Project Area for the 66th Avenue Street Improvement Project will assist in the elimination of blight in the Coliseum Project Area by improving the functionality and the aesthetic appeal of the street and replacing deteriorated and obsolete elements of the streetscape; and
4. That the use of tax increment funds from the Coliseum Project Area for the 66th Avenue Street Improvement Project is consistent with the implementation plan adopted for the Coliseum Project Area;

and be it

FURTHER RESOLVED: That the City Administrator or his designee is hereby authorized to take any action with respect to the 66th Avenue Street Improvement Project consistent with this Resolution and its basic purposes.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, DE LA FUENTE, KAPLAN, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT BRUNNER

NOES-

ABSENT-

ABSTENTION -

ATTEST: _____

LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California